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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,492	01/27/2004	Scott C. Casebolt	221P128US01	6255

7590

09/02/2005

IPLM Group, P.A.
Post Office Box 18455
Minneapolis, MN 55418

EXAMINER

CHIN SHUE, ALVIN C

ART UNIT	PAPER NUMBER
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3634

DATE MAILED: 09/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050830

DATE MAILED:

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Commissioner for Patents


Alvin C. Chin-Shue
Examiner
Art Unit: 3634

The reply filed on 6/29/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): All the originally presented invention was considered to be directed to only a safety device including claim 8, as the preamble stated that only the safety device is being claimed, in lines 11 and 12 of claim 8, the positive limitation to the concrete column, note "said securing member ANCHORING said elongated member to the concrete column" suggesting that applicant may be claiming a combination with the concrete column which is different from the preamble, such rendering the claims indefinite as it is unclear what is really being claimed by applicant, the safety device or the combination? If it is the combination the preamble should reflect same, also restriction between the originally presented invention and the now claimed combination as set forth in the amended claim 1 may be required. Clarification and correction of claim 8 is required to further a proper prosecution. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin C. Chin-Shue whose telephone number is 571-272-6828. The examiner can normally be reached on Monday-Friday, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Alvin C. Chin-Shue
Examiner
Art Unit 3634

ACS